

THE ASPENS PART OF E 1/2 OF SEC. 25, T. 5N, R. 45E, B.M., TETON COUNTY, IDAHO

SCALE: 1"=200'

CURVE DATA

CURVE	TAN.	RADIUS	CURVE L	Δ
C-1	50.0'	132.81'	88.54'	40° 27' 3"
C-2	100.0'	84.19'	157.07'	100° 11'
C-3	100.0'	84.19'	157.07'	100° 11'
C-4	100.0'	100.00'	157.08'	90° 00'
C-5	154.87'	800.00'	246.19'	2° 00' 31"
C-6	188.45'	795.00'	302.76'	1° 10' 34"
C-7	188.45'	877.28'	342.78'	7° 14' 18"

—LEGEND—

- 5/8" Rebar
- 1/2" Rebar
- 10' Utility easement
- 20' Easement
- ③ Block No.
- ④ Lot No.

Point of Diversion
2nd Well Site
Place of Use

RECORDED
APR 07 1994

LINE	BEARING	LENGTH
L-1	S 40° 27' 3" E	88.54'
L-2	S 100° 11' E	157.07'
L-3	S 100° 11' E	157.07'
L-4	S 90° 00' E	157.08'
L-5	S 2° 00' 31" E	246.19'
L-6	S 1° 10' 34" E	302.76'
L-7	S 7° 14' 18" E	342.78'

Application for permit to appropriate the public waters of
The Aspens Property Owners Assoc.
by John D. Moses Pres.
(Applicant)

Scale: 2 in

B
th

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Nadine Soose
being first duly sworn, depose and say that I am
the secretary of the Teton Valley News,
a newspaper as defined by Idaho Codes An-
notated, Section 58-106, as amended, and that
said newspaper is a weekly newspaper printed and
published at Driggs, in Teton County, Idaho,
having a general circulation in said county, and
that said newspaper has been printed in said
county for more than 78 consecutive weeks prior
to the first publication of the attached notice, ad-
vertisement, or publication of
notice of application for
Water Right

And affiant further says that said attached notice,
advertisement, or publication, as per clipping at-
tached, was published in said newspaper, in the
regular and entire issue thereof, and not in any
supplement issue thereof, for two consecutive
issues thereof; first publication having been
made on the 23 day of Dec
1993.

And affiant further says that at the times herein
mentioned said newspaper was made up of at
least eight pages of at least five columns each,
printed from typed matter, of at least sixteen in-
ches deep.

Nadine Soose

State of Idaho)

County of Teton)

On this 25 day of January
in the year of 1994, before me, a Notary Public,
personally appeared Nadine Soose
known or identified to me to be the person whose
name subscribed to the within instrument, and
being by me first duly sworn, declared that the
statements therein are true, and acknowledged to
me that he executed the same.

Bonnie Zolner
Notary Public for Idaho

Residing at Driggs Idaho

My commission expires 10/24/98

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s)
have been filed to appropriate the
public waters of the State of Idaho:
The Aspens Property Owners
Assn.

C/O C. Lynn Moses
P.O. Box 426
Driggs, Idaho 83422

Source: GROUNDWATER

Diversion Pt. SWNESE Sec
25 T 05N R 45E in Teton County.
SESWSW
Sec 25 T 05N R 45E in Teton
County.

Use: Domestic Total Diver-
sion: (.500 CFS)

.500CFS)

Date Filed: 12/6/1993

In: Teton County
T05N R45E S25 SENE
NESE NWSE SWSE

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Eastern Region,
900 N. Skyline, Idaho Falls, Idaho
83402 on or before JANUARY 3,
1994.

R. KEITH HIGGINSON, Di-
rector

Published in the Teton Valley
News December 23, 30, 1993.

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APR 07 1994

RECEIVED

JAN 27 1999

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY
Amt. of Fee \$: 100.00
Receipt No. CO 44460
Receipt By: H. Wilcox
Date Received: 1/27/99

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 22-07767 Telephone No. 208-354-8433

2. Name(s) of Permit Holder(s): The Aspen Homeowners Assoc. c/o Norma Miller

3. Mailing Address: P.O. Box 1121 Driggs, ID 83422

4. Source of Water: GROUNDWATER - If GROUNDWATER (well), Date Drilled: mo. JAN / yr. 81

a. Well Driller: EUGENE RICHARDSON-Well Drilling Drilling Permit Number: Nous - drilled 1981 - prior to requirement

b. OPTIONAL:
Pump Horsepower: 2HP Pressure (psi): 40-60 Dynamic pumping level (ft): 175'

5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 130 Stockwater (No. and type of stock): N/A
0.50 (cfs) from 5-1- to 10-15-yearly
Irrigation (No. of acres): 5.24 Other: N/A
** There are only 15 lots in Aspen & 12 are developed - Only 15 homes will use this well* *(total)*

6. Total rate of diversion and/or volume for which proof is submitted: 0.50 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes ☒	or	No ☒
	Has the measuring device been installed?	Yes ☐	or	No ☒
Flow Measurement Port:	Is a flow measurement port required?	Yes ☒	or	No ☐
	Has the measurement port been installed?	Yes ☒	or	No ☐

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Norma Miller Telephone Number: 208-354-8433

Address: 97 Aspen Dr. (P.O. Box 1121) Driggs, ID 83422

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Norma Miller - Aspen Homeowners Assoc. Date: 1-25-99
(include your title, if on behalf of company or organization)

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A Pump installed - 8/9/94

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 22-07767

Proposed Priority: December 6, 1993 **Maximum Diversion Rate:** 0.50 CFS

This is to certify, that **THE ASPENS PROPERTY OWNERS ASSN**
C/O C LYNN MOSES
PO BOX 426
DRIGGS ID 83422-0426

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.50 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNESE , Sec. 25, Township 05N, Range 45E
SESWSSE , Sec. 25, Township 05N, Range 45E
TETON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

05N 45E 25	SENE	NESE	NWSE
	SWSE	SESE	

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1999.**
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Domestic use is for 130 homes.
6. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
7. This permit authorizes irrigation of up to 1/2 acre within each platted subdivision lot upon which a domestic dwelling has been constructed.
8. Place of use is located within Lts. 1 - 8, Blk. 1, Lts. 1 - 7, Blk. 2, Lts. 1 - 8, Blk. 3, Lts. 1 - 7, Blk. 4, The Aspens Subdivision.

RECORDED

APR 07 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07767

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

22 day of February, 1994.

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED

FEB 07 1994

RECEIVED
FEB 07 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 22-2767
Refile # 22-07467

Department of Water Resources

To appropriate the public waters of the State of Idaho

The Aspens Property Owners Assoc.

1. Name of applicant c/o C. Lynn Moses Phone 354-8111

Post office address P.O. Box 426, Driggs, ID 83422

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE SW $\frac{1}{4}$ of SW NE $\frac{1}{4}$ of SE SE $\frac{1}{4}$, Govt. Lot _____

Sec. 25 Township 5N Range 45 E. B.M. Teton County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.50 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

* Amount 0.50 for Irrigation purposes from 4-15 to 10-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.0 0.50 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Submersible pumps in drilled wells.

* changes as per tel-con with applicant 12-7-93 HWT

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

Exists c. Proposed well diameter is 8 inches; proposed depth of well is 200 feet.

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? 1-24-81; Drilling firm Eugene Richards Well Drilling; Well was drilled for (well owner) The Aspens Property Owners Assoc.

7. Time required for the completion of the works and application of the water to be proposed beneficial use is 5 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 130
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
* 5N	45E	25				3									17	1	14	6	41
		25				D									D	D	D	D	
		25															6		

Total number of acres to be irrigated 41

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: The entire project is 41 Ac., therefore, each homesite would average substantially less than ½ acre, for irrigation purposes.
An additional well will be drilled before 15 homes are served, to meet State requirements for community water systems.

APR 07 1984

THE ASPENS

PART OF E1/2 OF SEC. 25, T.5N, R.45E, B.M.,
TETON COUNTY, IDAHO

SCALE: 1"=200'

CURVE	TRM	RADIUS	CURVE	L
1-1	80.0'	100.0'	1-1	100.0'
1-2	100.0'	100.0'	1-2	100.0'
1-3	100.0'	100.0'	1-3	100.0'
1-4	100.0'	100.0'	1-4	100.0'
1-5	100.0'	100.0'	1-5	100.0'
1-6	100.0'	100.0'	1-6	100.0'
1-7	100.0'	100.0'	1-7	100.0'

LEGEND

- 6" Water
- 1/2" Water
- 1/2" Utility
- 1/2" Gas
- 1/2" Electric
- 1/2" Sewer
- 1/2" Storm
- 1/2" Road
- 1/2" Fence
- 1/2" Survey
- 1/2" Other

SE 1/4 SE 1/4

Point of Diversion
2nd Well Site
Place of Use

Scale: 2 in.

B
th



Application for permit to appropriate the public waters of
The Aspens Property Owners Assoc.
by Aspens Property Owners Assoc. Pres.
(Applicant)

1994

Received by WM Date 12/6/93 Time 2:40 pm Preliminary check by OR #478 \$45.00
Fee \$ 45.00 Received by HWT # E019359 Date 12-6-93
Publication prepared by LB Date 12-23-93 Published in Teton Valley News
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 22-07767 Reviewed by [Signature] Date 3-12-99

GENERAL CONSIDERATIONS

yes Name same as permit?
no Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

dom. - multiple

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

no Drilling permit required? no - pre 87

 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

no Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100- Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address P.O. Box 1121 Proof Made 1-27-99
Driggs, 83422



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 16, 1999

The Aspens Homeowners Assoc
c o Norma Miller
PO Box 1121
Driggs ID 83422

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07767

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

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APR 08 1999

January 25, 1999

RECEIVED

JAN 27 1999

Department of Water Resources

State of Idaho
Department of Water Resources
1301 North Orchard P.O. Box 83720
Boise, Idaho 83720-0098

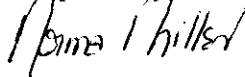
RE: The Aspen Homeowners Association
Proof of Beneficial Use
PERMIT # 22-07767

Dear Ms. Yarbrough,

Please find enclosed the completed form for proof of beneficial use referencing the above permit number. Note for the records that while this permit was issued with condition #5 referencing 130 homes, this subdivision is completed with 15 single family lots of which 12 have been developed. This subdivision was legally divided last year and the existing well will not service more than these 15 homes.

The previous permit holder, the developer, Lynn Moses, also stated to me that there is no well drilling permit number as none was required back when this well was originally drilled in 1981. I hope this information was accurately provided to me. Please advise me should additional information be required.

Respectfully,



Norma Miller
President
Aspen Homeowners Association
P.O. Box 1121
Driggs, Idaho 83422
208-354-8433

MICROFILMED

APR 08 1999

November 30, 1998

THE ASPENS PROPERTY OWNERS ASSN
C/O C LYNN MOSES
PO BOX 426
DRIGGS ID 834220426

PROOF DUE NOTICE

RE: PERMIT NO. 22-07767

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1999. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

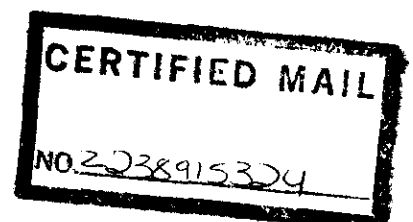
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
APR 08 1999





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

February 23, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

THE ASPENS PROPERTY OWNERS ASSN
C/O C LYNN MOSES
PO BOX 426
DRIGGS ID 83422-0426

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07767

Dear Permit Holder(s):

Enclosed is a copy of your approved application for permit.
Please be sure to thoroughly review the "CONDITIONS/REMARKS:"
listing on the permit.

As a permit owner you must commence the excavation or
construction of the diverting works within one year of the date
the permit was issued, and you must proceed diligently until the
project is completed. The date shown under condition no. 1 is the
date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately
60 days prior to the above referenced date requesting you to file
either a Proof of Beneficial Use form or a Request for an
Extension of Time form.

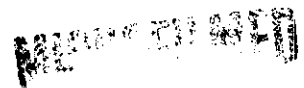
Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the printed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure



APR 07 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 22-7767 Date: 2/8/94 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes E.S.R.P. Mor + Non Trust

SYSTEM COMPLETED:

No - ~~26A~~ **P17**

Complete in 1 year - **P16**

Yes

Proof not submitted - **P16**

Proof submitted - **NA**

GROUNDWATER:

+ 0.2 cfs <flo-ch> - ~~01G-P03~~ (new), 01C-**P03** (existing), NMR

- 0.2 cfs - NMR <flow chart>

Drilling Permit:

Included w/permit - Permit No. - - - - -, **P99**

Existing well - N/A (if drilled before 7/1/87)

No WD permit? - 046-46A<Irr>-46B-**P23** (if drilled after 7/1/87)

SURFACE WATER: not in WD - 01C-**P03** (+.2 w/pump), NMR <flow chart>

LOCATION:

Water District - WD No. 01

Surface water - 005 (req) 01J-**P08** <flow chart>
(doesn't sink) or 01H-**P01** <flow chart>; NMR

Groundwater - **P05** (if well has not been drilled)

In stream channel - 030 (stream channel alteration)

Irrigation Dist. - 023

Canal Co. Areas - 023

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (Groundwater temperature)

Swan Falls Flag - C <See condition code chart>

Trust - 051-052-053-**P74** (Consumptive Uses), NA

Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (Surface): Water District Control Condition (005) &....

Boise (63) - 05A (req), 11E (non-domestic use), NA

Payette (65) - 064(consump. use), 047-**P04**(Payette Lake), NA

Snake (01, 02 & 03) - 11A-**P04** (01), 061-**P07** (02/03 No W.D.Cond.), NA

USE:

Fish Propagation - 010/06A/09E-**P10**(WQ) & 07A-042 (req)
044 (N 1000 Spr)

Irrigation - 803(if GW use SW 1st)(+5A do POU comp.), NA

Power - 08A-17K-025-027 (req); 01F-**P19**; 09E-**P10**;
+25 cfs-**P18**; 17G(FERC) or 17M(FERC); 18B-**P09**

Mining - 06A/010/09E-**P10** & 054 (req)

Storage(✓ 3 compo.) - 18A-for multi MD in WD, 18B-**P09** (+10' dam), NA

Domestic (surface) - 021(Boise R ↑ L Peak), 27A(Payette R), NA

OWNERSHIP:

Non land owner - 004 (P/D or P/U)

PROTESTED:

Prehearing agreement- 020

OTHER CONDITIONS: -

REMARKS: - ① w01(130) ② w04 ③ w05 ④ P/U is located within Lts 1-8, Bk 2, Lts 1-7, Bk 2, Lts 1-8, Bk 3, Lts 1-7, Bk 4, The Aspen Sub.

BENEFICIAL USE DUE: - 2-1-199

COMMENTS: - ① Mor + non-T exempt ② Div Desc. ③ Corp off (needs)

WR0749NP
No. P22-07767

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/15/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THE ASPENS PROPERTY OWNERS ASSN C/O C LYNN MOSES PO BOX 426 DRIGGS ID 83422-0426 (208) 354-8111	12/06/1993	DOMESTIC	01-01 12-31	0.50 CFS	
TOTAL DIVERSION:					0.50 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T05N R45E S25 SWNESE SESWSE TETON County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:		
05N	45E	25	:					D	:									D	D	D	D	:

Pou County: TETON

Other Water Rights Listing Overlapping Place(s) of use:

22-00249 22-02023 22-02047 22-02143

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
- 01C - A flow measurement port or other device as specified by the
- Department shall be installed by the right holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

Remarks:

Domestic use is for 130 homes.
The domestic use authorized under this permit shall not exceed
13,000 gallons per day per dwelling in accordance with
Section 42-111, Idaho Code.
This permit authorizes irrigation of up to 1/2 acre within each
platted subdivision lot upon which a domestic dwelling has been
constructed.
Place of use is located within Lts. 1 - 8, Blk. 1, Lts. 1 - 7,
Blk. 2, Lts. 1 - 8, Blk. 3, Lts. 1 - 7, Blk. 4, The Aspens
Subdivision.

Dates: App. Received: 12/06/1993 Priority Date: 12/06/1993
Proof Due Date: 02/01/1999 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee:

WR0749NP
No. P22-07767

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/15/94
PAGE: 2

Comments: Date: 02/08/1994 User-ID: ZIMMERMA Subject: MORATORIUM EXEMPTION
This permit is located within the Eastern Snake River Plain
Moratorium and non-trustwater boundary; however, its domestic use
is within the acceptable parameters of the Moratorium and non-
trustwater guidelines.

Date: 02/08/1994 User-ID: ZIMMERMA Subject: DIVERSION DESCRIPTION
Existing 8" by 200' deep wells drilled 1/24/81 by Eugene Richards
Well Drilling for the applicant with submersible pumps.

Date: 02/15/1994 User-ID: ZIMMERMA Subject: CORPORATE OFFICERS & DIRECTORS
The officers of The Aspens Property Owners Association are:
C. Lynn Moses, President;
Susan G. Moses, Secretary;
Becky Burnett, Director;
Susan G. Moses; Director;
C. Lynn Moses, Director.

Audit: 02/08/94 ZIMMERMA 02/08/94 ZIMMERMA

93

No. 72480

Return To

Secretary of State
Room 203, Statehouse
Boise, ID 83720

** FINAL NOTICE **
NO FEE REQUIRED

Idaho Corporation Annual Report Form

Due No Later Than November 1, 1993

1. Mailing Address - Please Correct, If Not Correct

ASPENS HOMES PROPERTY OWNERS ASSOCIATION
C. LYNN MOSES
P.O. BOX 426
DRIEGGS ID 83422

2. Registered Agent and Office NOT A PO BOX

C. LYNN MOSES
P.O. BOX 426
130 NORTH MAIN STREET
DRIEGGS ID 83422

3. Incorporated Under The Laws

of
NO: 72480

4. Names and Addresses of Officers and Directors

MUST BE PRINTED OR TYPED

President: C. Lynn Moses
Secretary: Susan G. Moses
Directors: Becky Burnett
Susan G. Moses
C. Lynn Moses

Name	Street or P.O. Address	City	State	Zip
C. Lynn Moses	P.O. Box 426	Drieggs	ID	83422
Susan G. Moses	"	"	"	"
Becky Burnett	P.O. Box 208	"	"	"
Susan G. Moses	P.O. Box 426	"	"	"
C. Lynn Moses	"	"	"	"

5. Nature of Business

Homeowners Assoc.

6. I certify that this Annual Report has been examined by me and is to the best of my knowledge true, correct and complete

Signature C. Lynn Moses

Date 10-21-93

Name (Printed) C. Lynn Moses

Title Pres.

APR 07 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

February 8, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

THE ASPENS PROPERTY OWNERS ASSOCIATION
C/O C LYNN MOSES
PO BOX 426
DRIGGS ID 83422-0426

RE: Application for Permit No. 22-07767

Dear Sirs:

I have received your application for permit for domestic use for final review. However, I need a list of the names, titles, and addresses of all the officers of The Aspens Property Owners Association.

I will hold further processing on your application for 30 days pending your response. Please submit this information as quickly as possible within the 30-day period to prevent any further undue delay in processing your application.

If you have any question, please feel free to contact me at (208) 327-7944.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Zimmerman".

CINDY ZIMMERMAN
Water Resource Agent

c: Eastern Region

APR 07 1994

Dist. for staffing 12-6-93
Submitted for advertising 12-7-93

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWT DATE 12-7-93 APPLICATION NO. 22-7767
Aspens Property Owners Assoc.
REQUIRED INFORMATION

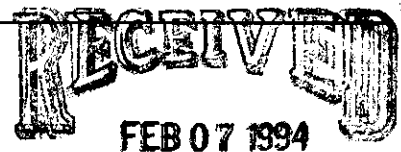
- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- _____ Overlapping place of use (Describe source & relationship to present application on the back.)
_____ Overlapping point of diversion
_____ Yes ☐ No ☒ Field check required
_____ Yes ☐ No ☒ Field check by _____
_____ Yes ☐ No ☒ Field report attached
_____ Yes ☐ No ☒ Critical groundwater area
_____ Yes ☐ No ☒ Groundwater management area
_____ Yes ☐ No ☒ Send dam safety information
_____ Yes ☐ No ☒ Send power requirement letter
_____ Yes ☐ No ☒ Send fish farm requirement letter
_____ Yes ☐ No ☒ Power residency affidavit
_____ Yes ☐ No ☒ Power efficiency form
_____ Yes ☐ No ☒ Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
_____ Yes ☐ No ☒ Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____



Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.
one 1/4 of 1/4 left out - No Action necessary
☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest _____
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations, attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 12-6-1993
By HWS Date 2-2-94

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other _____

Project impacts/implications report

COMMENTS

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Nadine Sore being first duly sworn, depose and say that I am the Secretary of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at Driggs, in Teton County, Idaho, having a general circulation in said county, and that said newspaper has been printed in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement, or publication of notice of application for Water Right

And affiant further says that said attached notice, advertisement, or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof; first publication having been made on the 23 day of Dec, 1993.

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from typed matter, of at least sixteen inches deep.

Nadine Sore

State of Idaho)

County of Teton)

On this 25 day of January in the year of 1994, before me, a Notary Public, personally appeared Nadine Sore known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Bonnie Zolner
Notary Public for Idaho

Residing at Driggs Idaho

My commission expires 10/24/98

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho: The Aspen Property Owners Assn.

C/O C. Lynn Moses
P.O. Box 426
Driggs, Idaho 83422

Source: GROUNDWATER

Diversion Pt. SWNESE Sec 25 T05N R 45E in Teton County

Sec 25 T 05N R 45E in Teton County

Sec: 25 T: 05N R: 45E in Teton County

3000PS)

Date Filed: 12/6/1993

In Teton County
T05N R45E S25
NWSE SWSE

The permit(s) will be subject to all water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N. Skyline, Idaho Falls, Idaho 83402 on or before JANUARY 1, 1994.

R. KEITH HIGGINSON, Director

Published in the Teton Valley News December 23, 30, 1993.

MICROFILMED

APR 07 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 14, 1993

TETON VALLEY NEWS
P.O. BOX 509
DRIGGS, ID 83422

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY ~~3~~¹⁰, 1994.

Yours truly,

Rita Bodell
Secretary

Encl.

APR 07 1994

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

11/11/11

APR 67 1991

22-07767

THE ASPENS PROPERTY OWNERS ASSN
C/O C LYNN MOSES
PO BOX 426
DRIGGS, ID 83422

Source: GROUNDWATER

Diversion Pt: SWNESE Sec 25 T 05N R 45E in TETON County.
 SESWSE Sec 25 T 05N R 45E in TETON County.

Use: DOMESTIC (.500 CFS)
 Total Diversion: (.500 CFS)

Date Filed: 12/ 6/1993

In: TETON County
T05N R45E S25

SENE
SESE

NESE

NWSE

SWSE

1994

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before JANUARY 3, 1994.

R. KEITH HIGGINSON, Director

Published: ~~12/16/1993~~ & 12/23/1993

12/30